

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 3, 2006

DIVISION ONE

B178027 Missak Azirian (Not for Publication)
 v.
 Oliver Ma

The order denying Oliver Ma's motion to compel arbitration is reversed and on remand the trial court is directed to grant the motion. Ma is entitled to costs on appeal.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

B181979 People (Not for Publication)
 v.
 McClinton

McClinton's conviction for attempting to rob Mr. Kim (count 6) is reversed and his sentence for kidnapping to commit sodomy (count 10) is stricken. The case is remanded for the trial court to dismiss count 6 with prejudice and strike the sentence on count 10, to prepare an amended abstract of judgment so stating, and to forward the amended abstract to the Department of Corrections. In all other respects, the judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

April 3, 2006 (Continued)

DIVISION ONE (Continued)

B184963 Los Angeles County, D.C.S. (Not for Publication)
v.
Annamarie C. & Leo C.

The August 3, 2005 order is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B118437 Jerrold Davis (Not for Publication)
v.
Lewis Anten et al.

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

B179819 Marathon Entertainment, Inc.
v.
Blasi et al.

Filed order vacating submission order of January 13, 2006, for the
reassignment to another member of the panel as the lead author. Cause
resubmitted.

April 3, 2006 (Continued)

DIVISION THREE

[illegible]

The judgment (order declaring Juan C. a ward of the juvenile court) is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B183374 Los Angeles County, D.C.S. (Not for Publication)
v.
Ronchelle S.
In re Kendal J.

The juvenile court's dispositional, family law and visitation orders are affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B178637 Narvaez (Not for Publication)
v.
Diamond Contract Services, Inc., et al.

The judgment is reversed and the matter is remanded for a new trial. Costs are awarded to appellant.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Curry, J.

April 3, 2006 (Continued)

DIVISION FOUR (Continued)

[illegible]

The judgment is modified to stay defendant's sentence on counts 3 and 5. In all other respects, the judgment is affirmed.

Epstein, P.J.

We concur: Curry, J.
Hastings, J. (Assigned)

B181359 Moca et al. (Not for Publication)
v.
Gill et al.

The judgments in favor of Hristos and Whitlock are reversed. Gill and Linda are to have their costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B162421 Courdy (Not for Publication)
v.
Paycom Billing Services, Inc., et al.

The judgment is affirmed.

Epstein, P.J.

We concur: Curry, J.
Willhite, J.

April 3, 2006 (Continued)

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B183129 People v. Wallace

B182922 People v. Nash

Argument waived, cause submitted.

B180709 Toyanda Thompson
 v.
 Compton Unified School District

Merits:

Argued by R.K. Bickerstaff for appellant and by Gregory Wille for respondents. Cause submitted.

B180024 People
 v.
 Terrell Oden

Merits:

Argued by Edward Haggerty for appellant and by Ryan Smith, Deputy Attorney General, for respondent. Cause submitted.

Court recessed at 9:20 a.m.

Court reconvened at 10:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

April 3, 2006 (Continued)

DIVISION FIVE (Continued)

Each of the following:

B180724 People v. Mason
B186786 DCFS v. Lavonne S.

Argument waived, cause submitted.

B182433 Star Investment Co.
 v.
 James Delaney

Merits:

Argued by John Byrne for appellant and by Jeffrey Kent for respondent.
Cause submitted.

Court recessed at 10:20 a.m.

Court reconvened at 10:35 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

Each of the following:

B181862 People v. Moore
B181394 People v. Valencia

Argument waived, cause submitted.

B188909 County of Los Angeles
 v.
 Superior Court, Los Angeles County
 (Patricia Gavira, r.p.i.)

Merits:

Argued by Sonia Mercado, Deputy County Counsel, for real parties in
interest and by Kevin Louth for petitioner. Cause submitted.

April 3, 2006 (Continued)

DIVISION FIVE (Continued)

B184361 People
 v.
 Ricardo Avila

Merits:
Argued by Andrew Reed for appellant and Dawn Mortazavi, Deputy
Attorney General, for respondent. Cause submitted.

Court recessed at 11:15 a.m.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

Each of the following:

B185886 In re Rayvon T.
B183937 People v. Thomas

Argument waived, cause submitted.

B180569 Patricia Metoyer
 v.
 Screen Actors Guild

Merits:
Argued by Dan Stormer for appellant and by Eric Amdursky for
respondents. Cause submitted.

B182753 People
 v.
 Jonathan H.

Merits:
Argued by Jan Norman for appellant and by Tasha Timbadia, Deputy
Attorney General, for respondent. Cause submitted.

April 3, 2006 (Continued)

DIVISION FIVE (Continued)

B182432 Kaylee Grisham
 v.
 Devin Porter

Merits:

Argued by B. Gene Pierce for appellant and by Devin Porter for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

B185389 William H., et al. (Not for Publication)
 v.
 Zandra G.
 In re Adoption of F.G., a Minor.

The judgment (order terminating parental rights) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B185698 People (Not for Publication)
 v.
 Rosa

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

April 3, 2006 (Continued)

DIVISION SIX (Continued)

B181218 Quero (Not for Publication)

v.

Quero

In re Estate of Quero

The order of the trial court is affirmed. Respondent shall recover costs of appeal.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B184062 People (Not for Publication)

v.

Macias

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

B185711 People (Not for Publication)

v.

Morrison

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (Continued)

B182983 Santa Barbara County Not for Publication)
 Child Welfare Services
 v.
 Mary A.

The judgment (order termination parental rights) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SEVEN

B181296 Simons (Not for Publication)
 v.
 County of Los Angeles et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

I concur: Perluss, P.J.
I dissent: Johnson, J. (Opinion)

B179665 M.B. Herzog Electric (Not for Publication)
 v.
 B.D. Pacific Construction et al.,

The judgment of the superior court is reversed. On remand, the superior court is directed to prepare and file a statement of decision in accordance the views expressed in this opinion and enter judgment thereon. Herzog is to recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Johnson, J.

April 3, 2006 (Continued)

DIVISION SEVEN (Continued)

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The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B185861 People
v.
Superior Court, Los Angeles County
(Maldonado, r.p.i.)

Filed order denying petition for rehearing.

DIVISION EIGHT

B178676 Charles Gelfo
v.
Lockheed Martin Corporation

Filed order vacating submission order of March 28, 2005.

B173908 Los Angeles County, D.C.S.
v.
Gene E.,
In re Eric E.,

Filed order denying petition for rehearing.